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James Freas
Acting Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: October 13, 2015
Land Use Action Date: November 17, 2015
Board of Aldermen Action Date: December 21, 2015
90-Day Expiration Date: January 12, 2016

DATE: October 9, 2015

TO: Board of Aldermen

FROM: James Freas, Acting Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Daniel Sexton, Senior Planner

SUBJECT: **Petition #233-15**, SIAMAB THERAPEUTICS/CHAPELBRIGE PARK ASSOCIATES, for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a Recombinant DNA research and technology laboratory and associated office use at 49-55 CHAPEL STREET (a/k/a 90 BRIDGE STREET), Ward 1, NONANTUM, on land known as SBL 14, 1, 14, containing approximately 170,913 square feet of land in a district zoned MANUFACTURING. Ref.: Sec 30-24, 30-23, 30-12(c)(15) of the City of Newton Rev. Zoning Ord., 2012.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision-making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



**90 Bridge Street
(49-55 Chapel Street)**

EXECUTIVE SUMMARY

The property located at 49-55 Chapel Street (known as Chapel Bridge Park) consists of a 170,913 square foot lot, and is improved as a business park with three commercial buildings and surface parking facilities, some of which are located on nearby parcels located immediately to the west and east of the site across Bridge Street and Chapel Street. The petitioner (Siamab Therapeutics) is a biopharmaceutical company developing therapeutic antibodies for the treatment of cancer. The petitioner is proposing to relocate their office and laboratory facilities, which are currently located in other communities, into a previously used office space on the first floor of the commercial building at 90 Bridge Street. As proposed, the petitioner's will occupy 6,000 square feet of space, which will be evenly divided between office and laboratory use, which will include some use of recombinant DNA (rDNA) research and technology. While the development of office and laboratory uses are allowed by right in Manufacturing districts, a special permit is necessary to develop a laboratory involving rDNA research and technology. Thus, the petitioner is seeking a special permit to allow a laboratory involving rDNA research and technology.

The development of laboratories involving rDNA research and technology are regulated by Chapter 12 and Chapter 30 of the City's Ordinances. Per Chapter 12, companies seeking to utilize rDNA research and technology in their laboratories must obtain an rDNA permit from the Commissioner of Health and Human Services (Commissioner). The permit application is reviewed by the Commissioner and the Newton Biosafety Committee (NBC) in concert with the company's special permit petition. According to §30-24(e), the Board of Aldermen consults with the NBC during the special permit process to determine whether the laboratory meets all applicable health and safety guidelines and regulations.

The petitioner has followed the steps above, and received an approval recommendation from the NBC at their meeting held on September 29, 2015. According to the Commissioner's letter (**ATTACHMENT A**), the NBC determined that the proposed laboratory has met all the applicable guidelines and regulations. If the special permit is granted, the petitioner will need to obtain a permit from the Health and Human Services and undergo annual inspections by the City as required by Chapter 12. Members of the NBC will be present at the public hearing to answer any questions regarding the applicable guidelines and regulations.

Based on the recommendation of the Commissioner and NBC, the Planning Department does not have any concerns with the development of the proposed laboratory use involving rDNA research and technology at the site.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The site, which is in a Manufacturing district, is an appropriate location for the development of a laboratory facility including rDNA research and technology, as the site is commercially developed and the petitioner has demonstrated that the proposed use meets all applicable health and safety guidelines and regulations. (§30-12(c)(15))

and 30-24(d)(1))

- The proposed laboratory use, which involves use of rDNA research and technology, as developed and operated will not adversely affect the surrounding area and neighborhood, as the laboratory design and operations met all applicable guidelines and regulations. In addition, the activities within the Laboratory utilizing rDNA research and technology will be limited to Biosafety Level 1 and 2. (§30-24(d)(2) and §12-21 et seq., as amended)
- The Commissioner of Health and Human Services and Newton Biosafety Committee have reviewed and recommended approval of the proposal to develop a laboratory use involving rDNA research and technology at the subject property since the laboratory met all applicable health and safety guidelines and regulations. The petitioner will need to obtain a permit under The Revised Ordinances of Newton, §12-21 et seq., as may be amended, from the Commissioner of Health and Human Services and approval by the Newton Biosafety Committee. (§30-24(e))

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The subject property is located near the northern border of Newton in the village of Nonantum between Chapel Street to the east and Bridge Street to the west. The surrounding neighborhood is mostly residential, with an eclectic mix of residential architecture and some retail and commercial uses located in old manufacturing buildings along arterial streets (**ATTACHMENT B**). The business park parcel is zoned Manufacturing, but its adjacent parcels containing surface parking facilities are zoned Multi-Residence 1 and 2 (**ATTACHMENT C**). The parcels in the surrounding area are zoned Multi-Residence 1 and 2, Business 1, Manufacturing, and Public Use.

B. Site

The site consists of 170,913 square feet of land, and is developed as a business park with several commercial buildings and surface parking facilities. The three buildings on-site range from two to four stories, and were converted from manufacturing uses to office and research and development space. The owner of the subject also owns and maintains a number of surface parking facilities located immediately to the west and east of the site across Bridge Street and Chapel Street, which are used by tenants of the Chapel Bridge Park. The site has two free-standing sign, approved under special permit via Board Order #461-05, which are located along Chapel Street and Bridge Street. Those portions of the site not developed with structure or parking facilities contain landscaping and a pedestrian plaza.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The petitioner is a biopharmaceutical company developing anti-TACA therapeutic antibodies for the treatment of cancer. The petitioner is proposing to occupy 6,000

square feet of space in an existing commercial building that was previously used for office space, which will be evenly divided between office and laboratory. As part of the laboratory operations, the petitioner intends to use rDNA research and technology. The development of a laboratory with these operations requires a permit from the Commissioner of Health and Human Resources and a special permit from the Board of Aldermen.

The petitioner is proposing a laboratory design and operations that meets all established guidelines for rDNA research as issued by the National Institute of Health (NIH), Centers for Disease Control and Prevention (CDC), and Massachusetts Department of Public Health. The guidelines and regulations established by these federal and state agencies require laboratories of this type to implement certain safety measures depending on the materials used in the research. The types of materials proposed to be used in the petitioner's laboratory are considered Biosafety Level (BSL-1) and Biosafety Level 2 (BSL-2). For both biosafety levels, the NIH and CDC guidelines require the petitioner to control the laboratory environment, properly dispose of waste, and provide specific training for employees. The materials that the petitioner is proposing to use at the subject property are not hazardous and do not pose a threat to the general public.

The NBC has reviewed the petitioner's application under §12-21 et seq., as amended, and §30-24(e), and recommended approval to the Commissioner. The Commissioner has provided a letter to the Board of Aldermen expressing her support and requesting approval of the special permit (**ATTACHMENT A**). The Planning Department relies on the NBC's review of the proposed rDNA activities for compliance with applicable guidelines and safety measures. Based on the approval recommendation issued by the NBC and Commissioner, the Planning Department does not have any concerns with the proposed use.

B. Building and Site Design

The proposed use will occupy a portion of a two-story brick building located off of Bridge Street. To develop the proposed use, the petitioner will be making changes to the tenant space to accommodate the internal programming of the office use and the laboratory operations. At this time, the petitioner will not be making any modifications to the exterior of the building or the site.

C. Parking and Circulation

There will be no change to the parking or circulation of the site due to the proposed development.

D. Landscape Screening

No landscape plan is required for this petition.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance)

The Zoning Review Memorandum (**ATTACHMENT D**) provides an analysis of the proposal with regard to zoning. Based on this review, the petitioner is seeking a Special Permit/Site Plan Approval for the following relief:

- §30-12(c)(15), to allow a laboratory use involving rDNA research and technology.

B. Engineering Review

As the petition is not increasing the level of impervious surfaces on the lot by 4%, or 400 square feet, or altering the landscape of the site in a way that results in the alteration of the surface water runoff to abutting properties or erosion of soil, no review by the Engineering Division of Public Works is required.

V. PETITIONERS' RESPONSIBILITIES

The petition is considered complete at this time.

ATTACHMENTS:

- ATTACHMENT A:** Letter from the Commissioner of Health and Human Services, dated October 1, 2015
- ATTACHMENT B:** Land Use Map
- ATTACHMENT C:** Zoning Map
- ATTACHMENT D:** Zoning Review Memorandum, dated August 26, 2015

City of Newton



HEALTH AND HUMAN SERVICES DEPARTMENT
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Public Health
Prevent. Promote. Protect.

October 1, 2015

Subject: Siamab Therapeutics Special Permit

Dear Aldermen,

It is my pleasure to write to the Board of Aldermen regarding the special permit application from Siamab Therapeutics for its laboratory facility located at 90 Bridge St., Suite 100, Newton.

The Biosafety Committee met with representatives from Siamab on two occasions during September, 2015. Siamab presented the committee with all the required documents and protocols and answered all questions submitted by committee members thoroughly demonstrating adherence to safety protocols. They will be operating in compliance with the National Institutes of Health (NIH) guidelines.

The Biosafety Committee members were unanimous in their recommendation to the Commissioner of Health and Human Services for approval of the rDNA permit. As such we respectfully recommend the approval of the special permit for Siamab Therapeutics.

Sincerely,

A handwritten signature in dark ink that reads "Deborah C. Youngblood". The signature is fluid and cursive.








Deborah C. Youngblood
Commissioner Health and Human Services

Zoning Map 45-55 Chapel Street

*City of Newton,
Massachusetts*

ATTACHMENT C

Legend

-  Building Outlines
-  Property Boundaries
-  Multi-Residence 1
-  Multi-Residence 2
-  Business 1
-  Manufacturing
-  Public Use

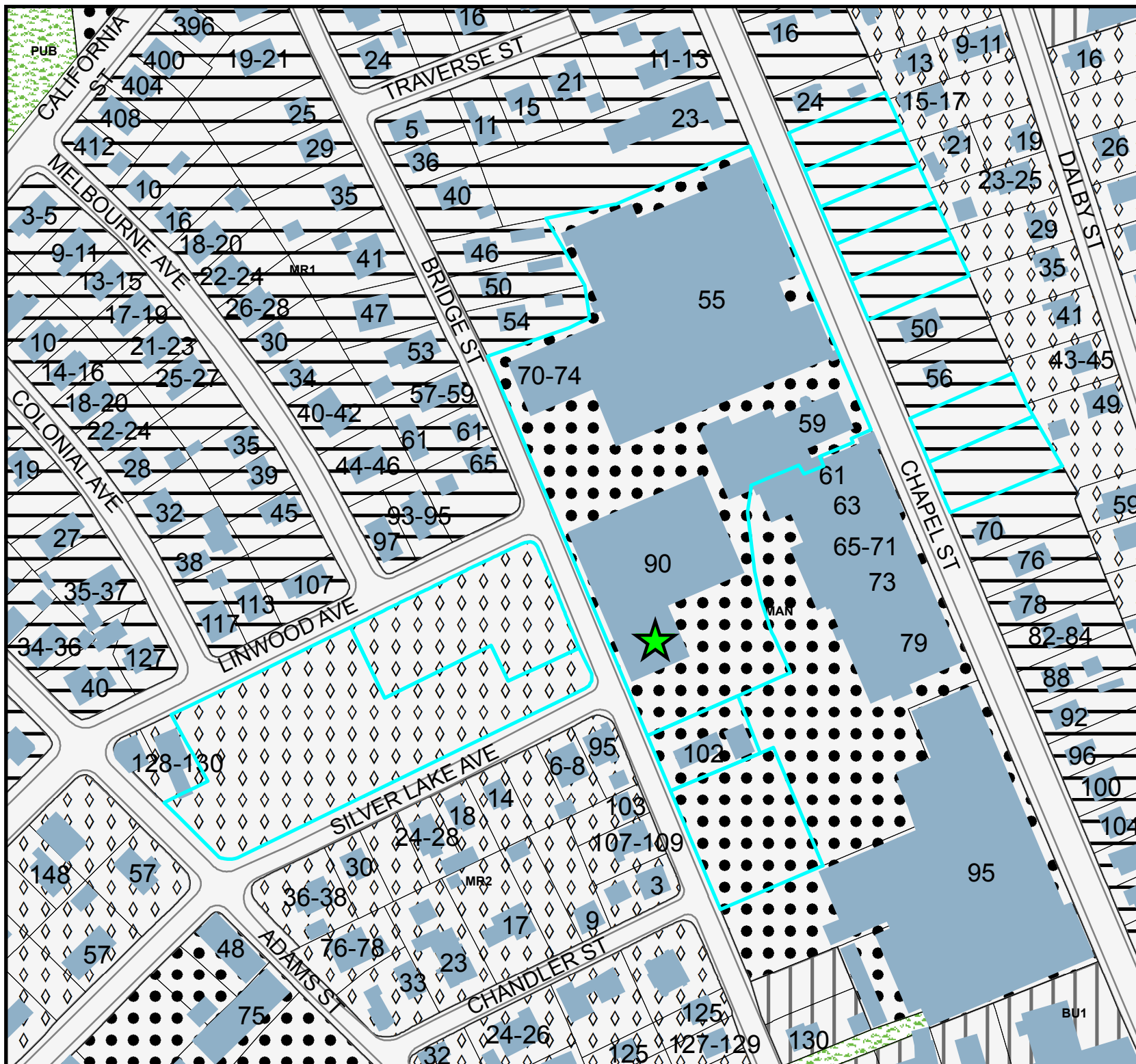


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield

0 12.5 50 75 100 125 150 175 200 225
Feet

Map Date: September 23, 2015





Setti D. Warren
Mayor

ATTACHMENT D

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James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: August 26, 2015

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Stephanie Beaudoin, Safety Partners
Jeff Behrens, Siamab Therapeutics
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow a recombinant DNA lab facility

Applicant: Siamab Therapeutics	
Site: 49-55 Chapel Street (also known as 90 Bridge St)	SBL: 14001 0014
Zoning: Manufacturing	Lot Area: 170,913 square feet
Current use: Office	Proposed use: Office with rDNA lab

BACKGROUND:

The property at 49-55 Chapel Street consists of a 170,913 square foot lot improved with three office buildings and parking. Siamab Therapeutics, a biopharmaceutical company developing novel cancer immunotherapies, proposes to locate its offices to the site, which utilize recombinant DNA research and technologies.

Siamab Therapeutics intends to occupy 6,000 square feet of space, which will be evenly divided between office and laboratory use. The company anticipates three office employees and 15-18 scientists.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Stephanie Beaudoin, Safety Partners, dated 8/20/2015

ADMINISTRATIVE DETERMINATIONS:

1. The applicant proposes to use 3,000 square feet of space for labs utilizing recombinant DNA research and technology. Per Section 30-12(c)(15), a special permit is required for a facility engaged in recombinant DNA research and technology.
2. The applicant must seek approval from the Newton Biosafety Committee for siting of the proposed facility.
3. Siamab Therapeutics proposes to occupy 6,000 square feet, of which 3,000 will be used for office space and 3,000 will be used as lab space. The entirety of the space was previously used as office, which required one parking stall per every 250 square feet; or 24 parking stalls. Siamab Therapeutic's use of the property requires one stall per every 250 square feet for the 3,000 square feet of office space, and one stall for every four employees in the lab, as well as one stall for every 1,000 square feet of floor space in the 3,000 square foot lab. Siamab Therapeutic's parking requirement is 20 stalls. No relief is required for the parking.
4. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-12(c)(15)	Special permit to allow a for recombinant DNA research and technology	S.P. per §30-24